

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Crim. No. 07-613 (SDW)
	:	
v.	:	
	:	
TYSHAUN ST. VALLIER,	:	
	:	
Defendant	:	APPLICATION FOR A WRIT OF
	:	ENTRY
JOANNE BETHEA and	:	
LEROY MCCOY, a/k/a "Leroy Bethea,"	:	
	:	
Sureties	:	
	:	
2075 Price Street, Rahway, New Jersey	:	
	:	
Defendant Real Property	:	

The United States of America makes this application in accordance with 28 U.S.C. § 1651 to the United States District Court to issue a Writ of Entry with respect to real property located at 2075 Price Street, Rahway, New Jersey. On July 23, 2008, this Honorable Court issued an Order granting bond forfeiture and default judgment against the defendant Tyshaun St. Vallier and sureties Joanne Bethea and Leroy McCoy, a/k/a "Leroy Bethea." The Court found that defendant St. Vallier breached the conditions of his release on bail and that a warrant for his arrest remains outstanding. Along with defendant, Joanne Bethea, defendant's mother, and Leroy McCoy, spouse of defendant's mother, obligated themselves in the amount of \$250,000, which bail was secured by real property located at 2075 Price Street, Rahway, New Jersey.

Pursuant to Fed. Crim. R. 46(f), and 18 U.S.C. § 3146(d), the Court Ordered: (1) judgment in the \$250,000 with applicable interest against defendant and sureties; (2) The United States Marshals be appointed receiver to preserve and sell the real property and apply the proceeds to the bond forfeiture judgment; (3) that the United States Marshals vest exclusive possession in the United States of America to all rights, title and interest of defendants and the sureties in the real property.

The United States Marshals now seek to proceed with the preparation and sale of the real property. To that end, the United States Marshals shall be required to enter the property, with necessary professionals, to conduct an appraisal of the property and may need to enter the property, on other occasions, for purposes connected with the sale of the property.

Based on the foregoing, the United States respectfully requests the issuance of a Writ of Entry with respect to the real property described above.

CHRISTOPHER J. CHRISTIE  
United States Attorney

A handwritten signature in black ink, appearing to read 'Sandra L. Moser', is written over the typed name.

By: Sandra L. Moser  
Assistant U.S. Attorney

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This matter having come before the Court on the application of Christopher J. Christie, United States Attorney for the District of New Jersey (by Sandra L. Moser, Assistant U.S. Attorney, appearing), with notice to Paul Bergrin, Esq. (attorney for defendant Tyshaun St. Vallier) and judgment debtors Joanne Bethea and Leroy McCoy a/k/a "Leroy Bethea," on a Notice of Motion for a Writ of Entry as to real property located at 2075 Price Street, Rahway, New Jersey ("defendant real property"); and

The United States having obtained an Order for default judgment, dated July 23, 2008, in the amount of \$250,000 against defendant and sureties pursuant to Fed. Crim. R. 46(f) and Title 18 U.S.C. § 3146(d); and

Said judgment Ordering that the United States Marshals place the United States of America in exclusive possession of the real property located at 2075 Price Street, Rahway, New Jersey; and said judgment Ordering the appointment of the United States Marshals as receiver of the real property located at 2075 Price Street, Rahway, New Jersey, to sell the property and apply the proceeds towards satisfaction of the defendant's and sureties bail forfeiture judgment; and

The United States having requested that the Court issue a Writ of Entry as provided in 28 U.S.C. § 1651, and pursuant to the July 23, 2008 Order of Default Judgment, authorizing it to enter the defendant real property, including any structures, for the purpose of conducting an inspection of the defendant real property and to conduct an appraisal; it is

ORDERED that the United States Marshals Service or its designee, as receiver of the property, is hereby authorized:

1. to enter the defendant real property, including any structures, on any occasions in connection with the sale and or liquidation of the real property, and for the purpose of conducting an appraisal of the real property, and

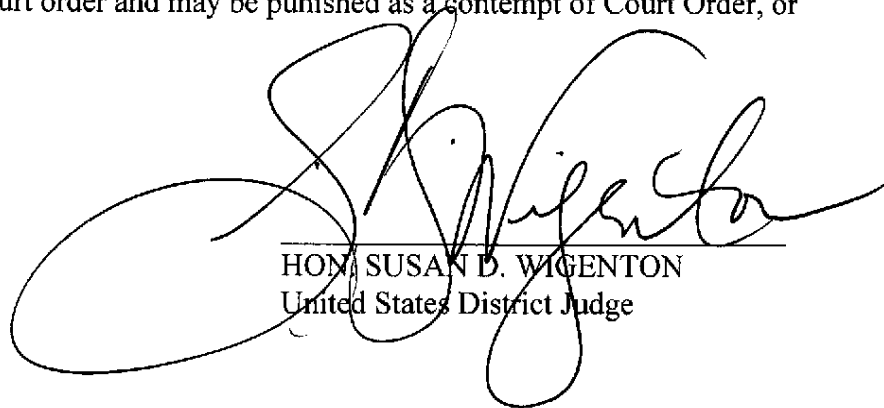
2. to be accompanied on any such occasion by any appraiser(s) selected by it for the purpose of appraising the condition and value of the defendant real property, which appraisal may include, among other means, still and video photography, and

3. to be accompanied on any such occasion by any government and contract personnel selected by it for the purpose of conducting an inspection and inventory of the defendant real property, which inspection and inventory may include, among other means, still and video photography, and

4. to be accompanied on any such occasion by any federal, state, and local law enforcement officers selected by it to ensure the safety of personnel acting under this Writ of Entry, and

5. that United States Marshals Service personnel are authorized to use all necessary and reasonable force to enter the real property and effectuate its appraisal.

Any interference with anyone acting under the authority of this Writ of Entry shall be deemed a violation of a Court order and may be punished as a contempt of Court Order, or otherwise as provided by law.



HON. SUSAN D. WIGENTON  
United States District Judge